

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

<p>In re:</p> <p>INTEGRATED HEALTH SERVICES, INC., <i>et al.</i>,</p> <p>Debtors.</p> <hr/> <p>IHS LIQUIDATING LLC,</p> <p>Plaintiff,</p> <p>v.</p> <p>ACE INDEMNITY INSURANCE COMPANY f/k/a INDEMNITY INSURANCE COMPANY OF NORTH AMERICA,</p> <p>Defendant.</p> <hr/> <p>IHS LIQUIDATING LLC,</p> <p>Third-Party Plaintiff,</p> <p>v.</p> <p>NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA., GENERAL STAR INDEMNITY COMPANY, and ACE INDEMNITY INSURANCE COMPANY f/k/a INDEMNITY INSURANCE COMPANY OF NORTH AMERICA,</p> <p>Third-Party Defendants.</p>	<p>Chapter 11</p> <p>Case No. 00-389 (MFW)</p> <p>(Jointly Administered)</p> <p>Adv. Pro. No. 05-51318(MFW)</p> <p><u>NOTICE OF MOTION</u></p>
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**NOTICE OF MOTION FOR AN ORDER AWARDING IHS
LIQUIDATING LLC SUMMARY JUDGMENT GRANTING
THE DECLARATORY RELIEF SOUGHT IN THE FIRST
CLAIM FOR RELIEF IN ITS ADVERSARY COMPLAINT,
AND DISMISSING IICNA'S COUNTERCLAIM AS MOOT**

PLEASE TAKE NOTICE that plaintiff IHS Liquidating LLC has filed a motion for an order pursuant to Federal Rule of Bankruptcy Procedure 7056: (i) severing and awarding the

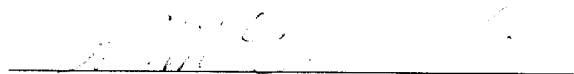
plaintiff summary judgment on the First Claim for relief in its adversary complaint, declaring that the Excess Liability Catastrophe Policy XLX G19545507 issued by defendant Indemnity Insurance Company of North America now known as Ace Indemnity Insurance Company ("IICNA") obligates IICNA to pay covered claims that have been liquidated in amount, by judgment or settlement, to the extent that such liquidated claims are in excess of the applicable per occurrence or aggregate limits of the Debtors' underlying primary and excess insurance coverage, notwithstanding that the full limits of the Debtors' underlying primary coverage have not been paid out in cash due to the bankruptcy and insolvency of the insured and its primary insurer; (ii) dismissing IICNA's counterclaim as moot; and (iii) granting such other and further relief as this Court may deem just and proper.

The Motion is on file with the U.S. Bankruptcy Court, District of Delaware, Marine Midland Plaza, Fifth Floor, 824 Market Street, Wilmington, DE 19801-4943 and is also available from the offices of the undersigned counsel for the Debtors, by calling Ian Connor Bifferato, Esq. at 302-429-1900.

PLEASE TAKE FURTHER NOTICE that this Motion will be heard by the Court at a time and place to be determined upon the completion of briefing.

Dated: Wilmington, Delaware
December 5, 2005

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